

ZONING CHANGE REVIEW SHEET

CASE: C14-2008-0152

P.C. DATE: November 25, 2008

C.C. DATE: January 15, 2009

ADDRESS: 6300-6302 US Hwy 290 West

AREA: 2.357 acres

OWNER/APPLICANT: Tejas Land & Commerce (Charles Draper)

AGENT: Thrower Design (Ron Thrower)

ZONING FROM: CS-CO

ZONING TO: CS-CO to remove conditions of the conditional overlay

SITE CHARACTERISTICS

The property in question is developed with a plant nursery and is zoned CS-CO. The site is located at the northeastern intersection of U.S. 290 and Patton Ranch Road. The surrounding land uses include the Oak Hill elementary school to the north; a Historic zoned Restaurant (Austin Pizza Garden) to the west, a Public zoned electric substation to the south, an undeveloped Commercial Services zoned property and an undeveloped tract of land to the west.

SUMMARY STAFF RECOMMENDATION:

The staff recommends the applicant's request to remove certain conditions of the existing Conditional Overlay on the property in order to encourage the development of commercial services along a major highway corridor. This is consistent with the desired development as expressed by the Oak Hill Association of Neighborhoods.

PLANNING COMMISSION RECOMMENDATION: The Commission voted to approve the staff recommendation of CS-CO to amend the conditional overlay. The Commission also approved the applicant's request to deny the staff recommendation of a 2,000 trip per day cap on the property and instead allow for a Traffic Impact Analysis to be deferred to the site plan stage. (11/25/08; 9-0, Reddy 1st, Small 2nd)

DEPARTMENT COMMENTS:

The staff recommendation is to grant CS-CO (Commercial Services) and to remove the proposed conditions from the conditional overlay on the property. The Oak Hill Association of Neighborhood supports the development of retail and commercial properties on U.S. 290. The conditions to be removed are as follows:

- The removal of the conditional overlay limiting the floor to area ratios applicable to financial services, general retail sales, restaurants and food sales
- Adding the indoor sports and recreation as an allowed use for the property
- All other conditions of the Conditional Overlay currently in place are to remain

As a Traffic Impact Analysis was waived for this case because the overall increase in trips is less than 2,000 over existing trips, the site will be limited to 2,000 trips over the existing vehicle trips through the conditional overlay.

ISSUES:

The applicant agrees with the Oak Hill Association of Neighborhoods resolution to remove the above conditions from the Conditional Overlay, but have requested a Traffic Impact Analysis that would be deferred to the site plan stage as opposed to the staff recommended 2,000 trips per day conditional overlay.

The existing Conditional Overlay on the site is as follows:

1. The following uses of the Property shall be prohibited:

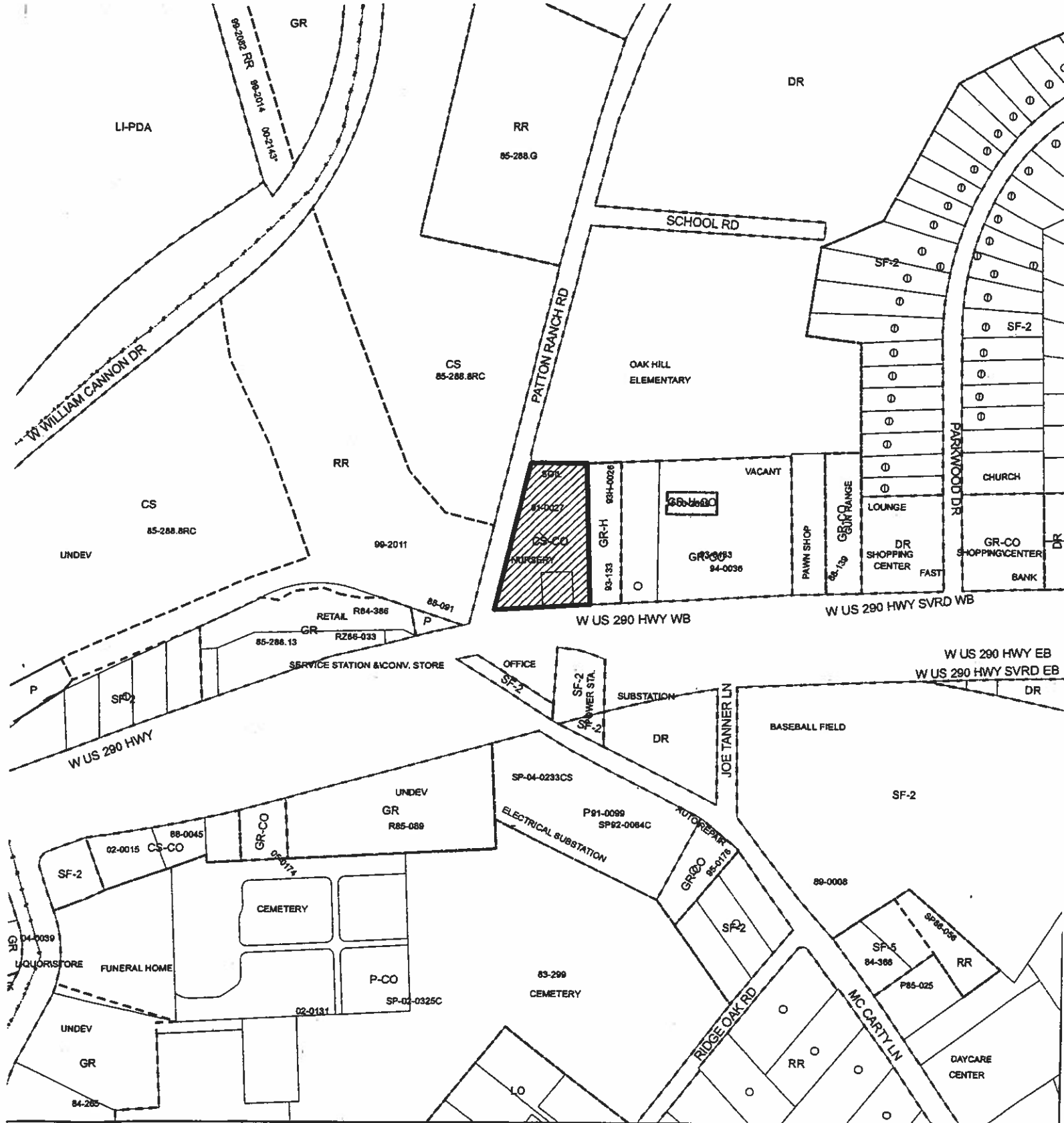
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|--|---|
| (a) Automotive rentals, | (j) Exterminating services, |
| (b) Automotive sales, | (k) Indoor sports and recreation, |
| (c) Automotive washing
(automatic or mechanical), | (l) Off-site accessory parking, |
| (d) Automotive washing
(self-service), | (m) Service station, (excluding fueling services) |
| (e) Equipment repair services, | (n) Hotel-motel, |
| (f) Equipment sales, | (o) Kennels
(including outdoor pens with veterinary services), |
| (g) Campground, | (p) Transitional housing, |
| (h) Commercial off-street parking, | (q) Guidance services, |
| (i) Construction sales and services, | (r) Group Home, Class I (General), and, |
| | (s) Group Home, Class II |

2. The Property, or any portion of the Property, shall be restricted to maximum floor to area ratio of .12 to 1 if the following uses are developed on the Property: (i) Financial services, (ii) General retail sales (general), or (ii) General retail sales (convenience) uses.

3. The Property, or any portion of the Property, shall be restricted to maximum floor to area ratio of .03 to 1 if the following use is developed on the Property: Restaurant (drive-in, fast food).

4. The Property, or any portion of the Property, shall be restricted to maximum floor to area ratio of .09 to 1 if the following uses are developed on the Property: (i) Restaurant (general), or (ii) Restaurant (limited).

5. The Property, or any portion of the Property, shall be restricted to maximum floor to area ratio of .15 to 1 if the following use is developed on the Property: Food sales.

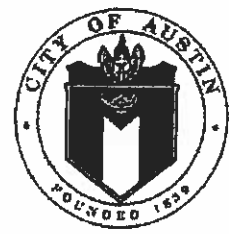


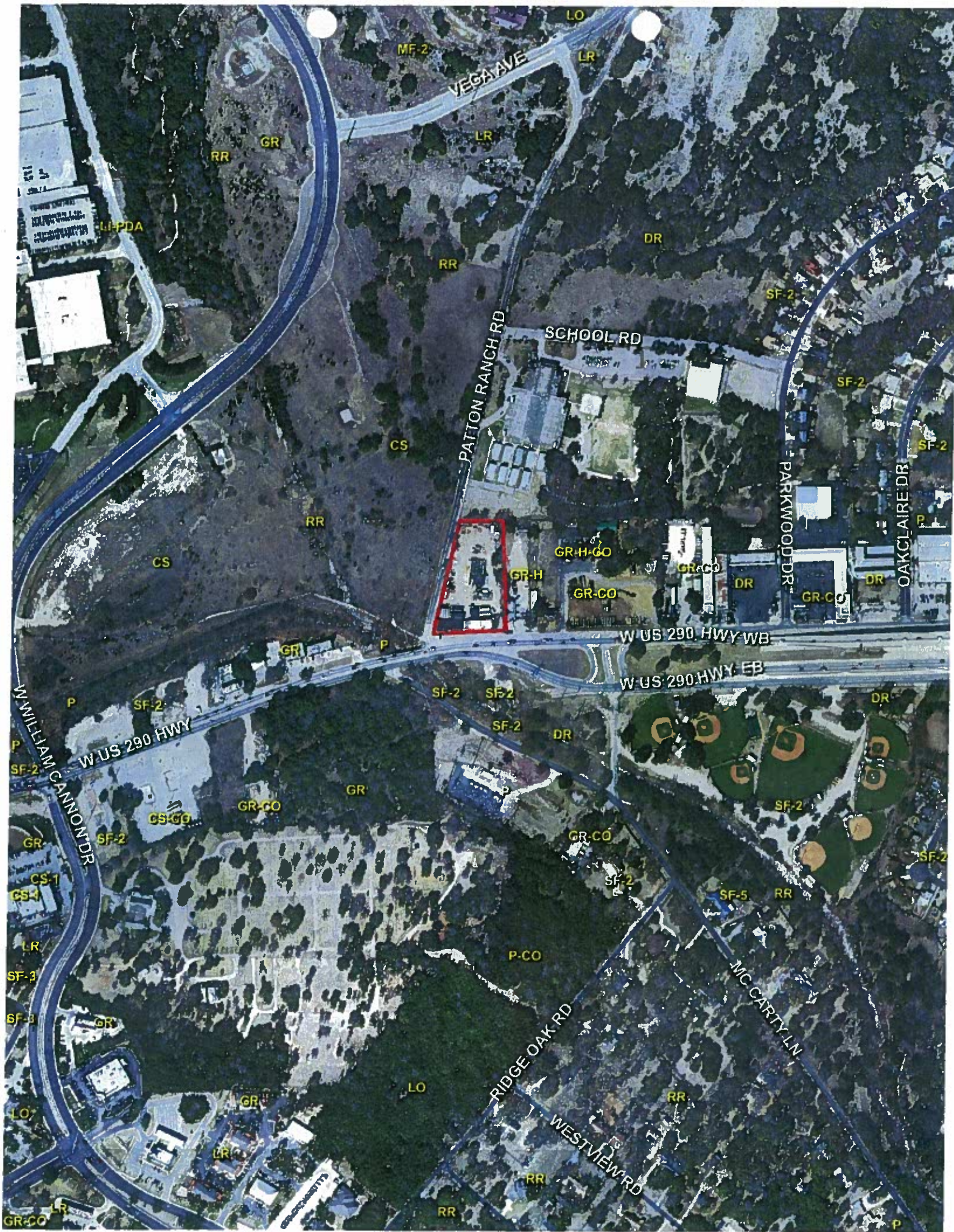
ZONING EXHIBIT A

ZONING CASE#: C14-2008-0152
 ADDRESS: 6300 W US 290 HWY WB
 SUBJECT AREA: 2.357 ACRES
 GRID: C19
 MANAGER: C. PATTERSON

- SUBJECT TRACT
- ZONING BOUNDARY
- PENDING CASE

OPERATOR: S. MEEKS





BASIS FOR RECOMMENDATION:

1. *Zoning should promote the policy of locating retail and more intensive zoning near the intersections of arterial roadways or at the intersections of arterials and major collectors.*

The property has frontage on a major highway corridor (US 290 W) and will concentrate more intensive zoning uses along a major transportation route.

2. *The proposed zoning should be consistent with the purpose statement of the district sought.*

The Oak Hill Association of Neighborhoods has submitted a resolution in support of this zoning change to remove the conditional overlay to encourage commercial development along transit corridors.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
Site	CS-CO	Plant Nursery
North	DR	Oak Hill Elementary
South	P	Electrical Substation
East	GR-H	Restaurant (Austin Pizza Garden)
West	RR, CS	Undeveloped Tract (RR), Undeveloped Lot (CS)

AREA STUDY: Oak Hill Combined Neighborhood Plan

TIA: Waived

WATERSHED: This site is located over the South Edward's Aquifer Recharge Zone. The site is in the Barton Creek Watershed of the Colorado River Basin, which is classified as a Barton Springs Zone (BSZ) watershed. It is in the Drinking Water Protection Zone.

DESIRED DEVELOPMENT ZONE: No

CAPITOL VIEW CORRIDOR: N/A

HILL COUNTRY ROADWAY: N/A

NEIGHBORHOOD ORGANIZATIONS:

Homeless Neighborhood Association
Oak Acres Neighborhood Association
Oak Hill Association of Neighborhoods

CASE HISTORY:

NUMBER	REQUE ST	COMMISSION	CITY COUNCIL
C14-93-0133 6266 US 290 West	DR to GR-CO	11/16/93: Approved GR-CO zoning. The CO limited the gross floor area of development. (9-0).	12/16/93: Approved GR-CO zoning. The CO limited the gross floor area of development. (7-0).
C14-85-288.RC 6200 Patton Ranch Road	RR and SF-2 to CS	N/A	8/1/86: Approved CS through RC amendment (5-0).
C14-99-2011 6100 Patton Ranch Road	I-RR to RR	9/21/99: Approved staff's recommendation of RR by consent (7-0-1; AN-ABSTAINED)	10/28/99: Approved staff's recommendation of RR by consent all 3 readings (5-0 WL/JG- ABSENT)

RELATED CASES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-91-0027 6511-6523 and 6601-6623 US Hwy 290 W, 6701- 6703 Patton Lane	SF-2 to CS-CO	5/14/97: Approved CS-CO w/ conditions (5-0)	10/10/97: Approved CS- CO w/ conditions (7-0)

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Bus Routes
US Hwy 290 W	57'	Varies'	Highway	No	No	171 Oak Hill Flyer
Patton Ranch Rd	65'	25'	Collector	No	No	

TRANSPORTATION:**TRAFFIC IMPACT ANALYSIS:**

A traffic impact analysis was waived for this case because the overall increase in trips is less than 2,000 over existing trips. Site will be limited to 2,000 trips over existing. [LDC, 25-6-117]

RIGHT OF WAY:

The Austin Metropolitan Area Transportation Plan calls for 400 feet of right-of-way for US Hwy 290 W. If the requested zoning is granted for this site, right-of-way dedication and reservation should occur according to the Transportation Plan. [LDC, Sec. 25-6-51 and 25-6-55] Contact TxDOT and provide this reviewer with information regarding what their right-of-way needs are along this property.

The applicant has contacted TxDOT and was told that ROW is currently not anticipated for the subject property at Northeast corner of US 290 and Patton Ranch Road .

ENVIRONMENTAL:

This site is located over the South Edward's Aquifer Recharge Zone. The site is in the Barton Creek Watershed of the Colorado River Basin, which is classified as a Barton Springs Zone (BSZ) watershed. It is in the Drinking Water Protection Zone.

Project applications at the time of this report are subject to the SOS Ordinance that allows 15% impervious cover in the recharge zone, 20% impervious cover in the Barton Creek watershed and 25% impervious cover in the Contributing zone.

According to flood plain maps, there is flood plain within the project location.

Based upon the flood plain within the project location, offsite drainage should be calculated to determine whether transition zone exists within the project location.

The site is located within the endangered species survey area.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

At this time, site specific information is unavailable regarding existing trees and other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves sinkholes, and wetlands.

Under current watershed regulations, development or redevelopment on this site will be subject to providing structural sedimentation and filtration basins with increased capture volume and 2 year detention. Runoff from the site is required to comply with pollutant load restrictions as specified in LDC Section 25-8-514.

At this time, no information has been provided as to whether this property has any preexisting approvals which would preempt current water quality or Code regulations.

IMPERVIOUS COVER:

The maximum impervious cover allowed by the CS zoning district would be 95%. However, because the watershed impervious cover is more restrictive than the zoning district's allowable impervious cover, the impervious cover is limited by the watershed regulations.

Project applications at the time of this report are subject to the SOS Ordinance that allows 15% impervious cover in the recharge zone, 20% impervious cover in the Barton Creek watershed and 25% impervious cover in the Contributing zone.

Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

Development Classification	Impervious Cover Allowed	Watershed Restrictions
Commercial	95%	15% in Recharge Zone, 20% Barton Creek Watershed, 25% Contributing Zone

Note: The most restrictive impervious cover limit applies.

WATER AND WASTEWATER:

The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing the water and wastewater utility improvements, offsite main extensions, system upgrades, utility relocation, and abandonment. The water and wastewater plan must be in accordance with the City of Austin utility design criteria. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

STORMWATER DETENTION:

At the time a final subdivision plat, subdivision construction plans, or site plan is submitted, the developer must demonstrate that the proposed development will not result in additional identifiable flooding of other property. Any increase in stormwater runoff will be mitigated through on-site stormwater detention ponds, or participation in the City of Austin Regional Stormwater Management Program if available.

COMPATIBILITY STANDARDS:

Site plans will be required for any new development other than single-family or duplex residential.

Any development which occurs in an SF-6 or less restrictive zoning district which is located 540-feet or less from property in an SF-5 or more restrictive zoning district will be subject to compatibility development regulations. Compatibility is required on the front property line.

CITY COUNCIL DATE: January 15, 2009

ORDINANCE READINGS: 1st

2nd

3rd

ORDINANCE NUMBER:

CASE MANAGER: Stephen Rye

PHONE: 974-7604

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